

**DICKSTEINSHAPIRO<sub>LLP</sub>**

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October 23, 2006

Via Fax to 415-522-2184 and E-File

The Honorable Martin J. Jenkins  
United States District Court  
Northern District of California  
450 Golden Gate Ave  
San Francisco, CA 94102

Re: *Ricoh Co., Ltd. v. Aeroflex Inc. et. al*, Case No. CV 03-04669 MJJ (MCC)  
*Synopsys, Inc., v. Ricoh Co., Ltd.* Case No. CV 03-02289 MJJ (MCC)

Dear Judge Jenkins:

We represent Ricoh in the above-captioned matter, and respond to Ms. DeMory's letter of October 20, 2006. We understand that motions 1 and 6 will be argued on December 12. We likewise understand that defendants have conceded that judgment should be entered in Ricoh's favor and dismissing with prejudice the affirmative defense of authorization and consent.

With respect to the balance of counsel's letter, we are disappointed that Ms. DeMory refused to comply with the Court's Order of October 18 that Friday's letter be a joint letter. Ms. DeMory refused to provide Ricoh's counsel with an advance copy of her letter or otherwise communicate regarding any portion of her proposal.

Ms. DeMory's alternate proposal also ignores the fact the defendants elected to file nine motions, consisting of over 200 pages of briefs. Although defendants now claim that they could "easily" have combined those arguments without violating the page limits, the fact that they did not do it when the motions were filed only two months ago either reflects an inability to edit or a lack of sensitivity to the demands on the Court. Equally important, while defendants have shown their capability and propensity to throw out vast quantities of unsupported accusations, Ricoh must still spend the time to dissect and address each one. Ricoh should not have to spend the time or resources to address new motions by the defendants as proposed by Ms. DeMory. We also note that Ms. DeMory's alternate proposal is inconsistent, she does not propose simplifying or reducing any of the issues but only intends to meld more than 100 pages of noninfringement and invalidity arguments from briefs 2-4 and 6 into a densely packed brief. Responding to and analyzing such a submission would hardly save time for the Court or counsel and we submit would completely ignore the Court's intent and undermine its efforts. Because Ms. DeMory's alternate proposal disregards the instructions of the Court, it should be rejected.

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We note that neither defendants nor Synopsys have withdrawn any of their motions, including the Rule 11 motion that the Court stated should be withdrawn or the other summary judgment motions that are no longer at issue. We recommend that the Court issue an order denying all of the defendants' pending motions except nos. 1 and 6.

Very truly yours,

By: Kenneth W. Brothers

Kenneth W. Brothers

Attorneys for Ricoh Company, Ltd.

cc: Denise DeMory